

Amendment No. 1 to HB0216

Halford
Signature of Sponsor

AMEND Senate Bill No. 544

House Bill No. 216*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 15, is amended by adding the following language as a new, appropriately designated section:

39-17-15__.

(a) For the purpose of this section:

(1) "Counter" means the point of purchase at a retail establishment;

(2) "Retail establishment" means a place of business open to the general public for the sale of goods or services; and

(3) "Smoking paraphernalia" means:

(i) A cigarette holder;

(ii) A smoking pipe made of metal, wood, acrylic, glass, stone, or plastic with or without screens, permanent screens, hashish heads or punctured metal bowls;

(iii) a water pipe, or

(iv) Rose and pen combinations.

(4) "Smoking paraphernalia" does not include a smoking pipe or smoking device when sold at retail, if the smoking pipe or smoking device is primarily made of briar, meerschaum, clay or corn cob

Amendment No. 1 to HB0216

**Halford
Signature of Sponsor**

AMEND Senate Bill No. 544

House Bill No. 216*

(b) All smoking paraphernalia shall be maintained behind-the-counter of a retail establishment in an area inaccessible to a customer or in a locked display case that makes the products unavailable to a customer without the assistance of an employee.

(c)

(1) A violation of this section is punishable as provided in § 39-17-1509.

(2) If smoking paraphernalia is sold in violation of this section by an employee, the owner or operator of the retail establishment where the employee sold the products shall be in violation of this section.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.